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Attorneys for Plaintiff
DAVID KAYNE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID KAYNE, an individual citizen of
Georgia,

Plaintiff,

v.

THE THOMAS KINKADE COMPANY,
formerly known as MEDIA ARTS
GROUP, INC., a Delaware Corporation,

Defendant.

CASE NO. C 07-4721 (SI)

**STIPULATED REQUEST TO TAKE
CASE MANAGEMENT CONFERENCE
OFF CALENDAR**

STIPULATION

(No. 07-4721 (SI))

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STIPULATION

Plaintiff David Kayne ("Kayne") and Defendant The Thomas Kinkade Company ("TKC") hereby stipulate and submit the following joint request:

WHEREAS, on December 5, 2007 the Court dismissed Kayne's first amended complaint with prejudice;


WHEREAS, the case management conference (the "Case Management Conference") in this matter has not been taken off calendar and is currently scheduled for hearing on December 18, 2007;

WHEREAS, Given the Court's ruling, Kayne and TKC desire to stipulate to take the December 18, 2007 Case Management Conference off calendar.

NOW THEREFORE, Kayne and TKC by and through their counsel jointly request that the Court take the December 18, 2007 Case Management Conference off calendar.

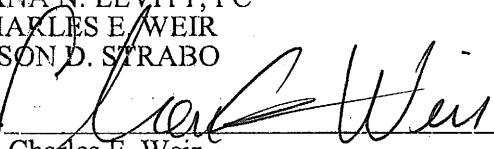
Dated: December 10, 2007

HOLLAND & KNIGHT LLP
CHARLES L. COLEMAN, III
ANDREW T. CALLEFIELD

By: 
Charles L. Coleman, III
Attorneys for Plaintiff
DAVID KAYNE

Dated: December 11, 2007

MCDERMOTT WILL & EMERY LLP
DANA N. LEVITT, PC
CHARLES E. WEIR
JASON D. STRABO

By: 
Charles E. Weir
Attorneys for Defendant
THE THOMAS KINKADE COMPANY

IT IS SO ORDERED.

The Case Management Conference is hereby taken off calendar.

Dated: _____

Hon. Susan Illston
United States District Judge